Mr. M. Raman Menon *(Commissioner of Excise):* I do not know.

PASSES FOR REMOVING FUEL FROM FORESTS—ISSUE OF

210. Mr. T. V. Subramania Ayyar *(Nemmara):* Will the Government be pleased to state.—

(*a*) whether the system of granting passes for cart-loads of fuel from the Government Forests in Ailur, Thiruvazhiyad and Kairadi Villages in Chittur Taluk was stopped some years back ;

(*b*) if so, what are the reasons;

(*c*) will the Government consider the desirability of re-introducing the practice in view of the rise in the price of fuel on this account?

Mr. T. Narayana Menon *(Conservator of Forests):*

(*a*) & (*b*) The system referred to has not been abolished but only suspended temporarily for lack of demand.

(*c*) The question of issuing permits for fuel to individual cartmen does not arise at present, as a large quantity of fuel is known to be available for sale at cheap prices from remnants of fellings in Regeneration coupes as also from assigned lands.

Mr. T. V. Subramania Ayyar *(Nemmara):* May I know, Sir, if there is demand from the public, has the Government any objection to reintroduce this system ?

Mr. T. Narayana Menon *(Conservator of Forests):* As a matter of fact the rule has not been cancelled. Even now if there is demand, it will be introduced.

Mr. A. B. Salem *(Mattancheri):* Is any pass withheld ?

Mr. T. Narayana Menon *(Conservator of Forests):* No.

Statement by the Commissioner of Excise regarding enquiry into the allegation made against an Excise Sub-Inspector by an Hon'ble Member of the House

Mr. M. Raman Menon *(Commissioner of Excise):* Sir, I may be permitted to make a statement regarding the result of the enquiry into the charges against the Irinjalakkuda Sub-Inspector made by an hon'ble member of this House.

Mr. K. S. Panicker, the Ezhuva Member for Mukundapuram, complained on 4th Vrischigam 1114 that illicit sales of toddy were

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going on in certain places in the Irinjalakkuda Range with the connivance of the Range Sub-Inspector Mr. Koru.

Mr. E. Ikkanda Warriar *(Cheruthuruthi):* We do not exactly understand what he is reading. We do not hear the member well.

Mr. President: There were certain allegations made in this House against an Excise Official by the Hon'ble Member Mr. Panicker. Enquiries were conducted and the Excise Commissioner is now going to give you the results of those enquiries. Because the hon'ble member used his privilege in this House to make an allegation against a poor subordinate officer, Government thought it is their duty in the interests of protecting that officer to conduct an enquiry and to place the results of such enquiry before the House. The hon'ble member will now make his statement.

Mr. M. Raman Menon *(Commissioner of Excise):* Mr. K. S Panicker, the Ezhuva Member for Mukundapuram, complained on 4th Vrischigam 1114 that illicit sales of toddy were going on in certain places in the Irinjalakkuda Range with the connivance of that Range Sub-Inspector Mr. Koru. This was enquired into personally by the Inspector, Southern Circle, and he reported that this charge was entirely unfounded. Mr. Panicker was thereupon informed of the result of the enquiry made by the Inspector and asked to substantiate his allegations, if he could, by adducing evidence before the Commissioner. The enquiry thus started by the Commissioner had to be adjourned several times as will be seen from the following statement and for the reasons stated in it.—

Date of enquiry	*Placeof enquiry*	*Reason for adjournment*
27—5—1114	Trichur	Mr. Panicker did not appear
28—6—1114	do.	The Commissioner Mr. Raman owing to other engagement, could not take up the enquiry
9— 7—1114	do.	Though Mr. Panicker appeared he did not produce any evidence. He asked for an adjournment
28— 7—1114	Irinjalakkuda	Mr. Panicker did not appear
21—10—1114	do.	Mr. Panicker reported inability to attend and wanted adjournment
24—11—1114	Kodakara	The Sub-Inspector and three witnesses were examined. Adjourned for the examination of further witnesses who were absent
28—12—1114	do.	Mr. Panicker refused to accept notice posting the enquiry to this day
29— 1—1115	do.	Mr. Panicker and his promised witnesses did not turn up
27— 2—1115	do.	Mr. Panicker refused to accept the registered notice sent to him regarding the posting of the enquiry to this date

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It will be seen from the above statement that Mr. Panicker was given all reasonable facilities to prove that there was truth in the allegations made by him against the Sub-Inspector; but did not substantiate his charges, nor did he allow the enquiry to be completed. On the 12th Medam 1114, he wrote to say that he was not very particular to go on with the enquiry. But he was told that it would be unwise to drop the matter at that stage, and that, in view of the nature of the charges made, the enquiry started had to be pushed on to a finish in the interests of the Department. It was only at one hearing, *viz.*, on the 24th Mithunam 1114, that Mr. Panicker was able to produce any evidence. Even on that day he could not produce all his witnesses. The President of the Kodakara Panchayat, who was produced as a witness, stated that he came there at the instance of Mr. Panicker but not in connection with the enquiry and that he was not prepared to give any evidence or to take part at all in the enquiry. Excluding him, Mr. Panicker examined the Irinjalakkuda Sub-Inspector Mr. Koru and three other witnesses. None of these witnesses say that any illicit sales were going on in the Irinjalakkuda Range with the knowledge or connivance of the Sub-Inspector. Of the independent witnesses examined, P. K. Velayudha Menon states about this Sub-Insector as "അദ്ദേഹം വള്ള രു ന്യായമായിട്ടും സത്യമായിട്ടും നടക്കുന്ന ഒരു ഉദ്യോഗസ്ഥനായിട്ടാണ് എനിക്കു തോന്നീട്ടുള്ളതു്. ഞാനു അദ്ദേഹത്തെപ്പറ്റി യാതൊരു ആക്ഷേപവും കേട്ടിട്ടില്ല". Another witness Chakkalamittam Kochuvareed examined says "Sub-Inspector Mr. Koru മദ്ധ്യമക്കാരനാണെന്നാണു് ഞാൻ കരുതിയതു്. അവരുടെ ഇടയിലെ സംസാരവും അങ്ങിനെതന്നെയാണു്. .... പലരും സംസാരിക്കുന്നതു കേട്ടിട്ടാണു്. സബ്ബ് ഇൻസ്പെക്ടർ മദ്ധ്യമക്കാരനാണെന്നറിഞ്ഞതു്." This is the view of Mr. Panicker's own witnesses. The witnesses examined do not also say that they have told Mr. Panicker anything about the connivance of the Sub-Inspector in the matter of any illicit sale. Sub-Inspector Mr. Koru, when examined, says that Mr. Panicker has a private grudge against him which originated in the last Legislative Council election and that is the cause of this charge. According to him, his brother-in-law one Pallatheri Madhavan was a rival candidate for election against Mr. Panicker, that Mr. Panicker approached him (Sub-Inspector) to exert his influence and get Mr. Madhavan to withdraw, that he did not do as desired by Mr. Panicker, and that that was the cause of the grudge. That Mr. Madhavan is the brother-in-law of the Sub-Inspector and that he was his rival in the election are not disputed by Mr. Panicker.

The above is the nature of the evidence adduced by Mr. Panicker. After the examination of these witnesses, Mr. Panicker said that he had some more witnesses to be examined. But as they were absent that day he asked for an adjournment to examine them, undertaking

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to produce them on the next hearing day. For this purpose, thrice the enquiry was posted, but Mr. Panicker refused to accept the notice and appear, and therefore the enquiry had to be closed.

The charge against the Sub-Inspector thus remains unsubstantiated. There are also no materials forthcoming for a reasonable suspicion that the Sub-Inspector was corrupt or that he was misbehaving as alleged. The enquiry so far made leads only to the conclusion that the officer, whose integrity and honour have been challenged before the House, never deserved such an attack and that the charge levelled against him was uncharitable and hasty.

Mr. C. R. Iyyunni *(Trichur-South):* Consistent with the dignity of this House, I think, it is necessary that the Hon'ble Member, Mr. Panicker will take the earliest opportunity to withdraw his statement, as it has been proved here beyond doubt that the charges levelled by him against that officer were without any foundation.

Mr. V. J. Mathai *(Planters):* As members of this House, we share the same feeling with the Commissioner of Excise. So, I would on my behalf request the hon'ble member to withdraw the statement.

Mr. K. M. Ibrahim *(Cranganur):* Apart from the connivance of the Inspector, is there any illicit sale?

Mr. President: That is not the point here. The point for enquiry was, Mr. Panicker made an allegation saying that illicit sales of toddy were going on with the connivance of that officer. I have repeatedly stated here that hon'ble members should be more careful in making such statements, especially when they have the privilege to cast aspersions on members of Government or their subordinates. When such aspersions are cast, I have made it plain, that it will be the duty of the Government to conduct enquiries and that it will be the duty of the hon'ble members concerned to advance evidence to substantiate the allegations. So an enquiry was conducted in this case with the result the hon'ble member referred to.

Mr. K. S. Panicker *(Ezhuvas-Mukundapuram):* With regret, I beg to withdraw the allegations.

The Cochin Police Act (Amendment) Bill*

Mr. C. A. Kunjunni Raja *(Advocate-General):* Sir, I move that the Cochin Police Act (Amendment) Bill be taken up and finally passed.

Mr. K. P. Kannan Nayar *(Secretary to Government):* I second it.

*Appendix I

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